

**FILED**

OCT 30 2018

Clerk, U S District Court  
District Of Montana  
Billings

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WOODY'S TRUCKING, LLC, and  
DONALD E. WOOD, JR.

Defendants.

Case No. CR-17-138-BLG-SPW

**ORDER APPROVING ASSET  
SALE AND DISTRIBUTIONS TO  
PAY BANK DEBT AND  
CLOSING COSTS**

WOODY'S TRUCKING, LLC and DONALD E. WOOD, JR.

("Defendants") have moved the Court to issue an Order approving a proposed sale of certain of Defendants' assets and a proposed distribution of the proceeds of the sale (Doc. 213). The Government does not object to this motion.

After review and consideration of the Defendants' pleadings, the Defendants motion is GRANTED to the extent provided in this Order.

The Court specifically approves the sale, transfer and disposition of all of the assets set forth in *Exhibit A* attached hereto (collectively, the "Purchased Assets") by the Defendants to Eastern Energy Trucking, Inc., a Montana corporation (the "Buyer"), a bona fide purchaser for value, free and clear of, and not subject to, any forfeiture (including under 18 U.S.C. § 981, 18 U.S.C § 982, 21 U.S.C. § 853, and

28 U.S.C. § 2461), any restitution claims or orders (including under 18 U.S.C. §§ 3663, 3663A, and 3664), or any other liens or encumbrances arising from or related to the conviction of the Defendants in the above-entitled cause or the commission by the Defendants of the acts constituting such violations in the above-entitled cause, in exchange for a total purchase price of \$955,000.00, all on the terms and conditions of that certain Asset Purchase Agreement, to be entered into by and between the Defendants, Brenda J. Wood, and the Buyer, a draft of which was submitted to the Court as Exhibit A to Defendants' Brief In Support of Motion To Approve Asset Sale and Distribution.


Further, the Court specifically approves distributions of part of the purchase price from such sale of the Purchased Assets as follows:

1. To pay \$710,000.00 to the Bank of Baker to be applied to the following loans owed to the Bank of Baker, which maintains a security interest in the Purchased Assets:

<i>Loan No.</i>	<i>Borrower</i>	<i>Amount Applied</i>
502900554	Woody's Trucking LLC	\$436,613.19
502900556	Woody's Trucking LLC	\$20,966.57
502900557	Woody's Trucking LLC	\$103,244.61
503595801	DBW Investment Properties LLC	\$138,459.78
6008855	Donald E. and Brenda J. Wood	\$10,715.85
Total Applied		\$710,000.00

2. To pay Defendants' one-half share of the closing fees and costs of the closing agent for the sale of the Purchased Assets under the Purchase Agreement.

DATED this 30<sup>th</sup> day of October, 2018.

  
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SUSAN P. WATTERS  
U.S. District Court Judge

## Exhibit A Purchased Assets

<b>2001 Western Star (213)</b>	<b>2WKEDD3J21K971055</b>	<b>- vac truck w/masport 400 vac pump</b>
<b>2006 Peterbilt (50)</b>	<b>1XP5D49X56D881442</b>	<b>- vac truck w/high pressure units - high pressure fittings and hoses, code tank, triplex pump, 4" roper, HW75 vac pump w/2001 polar code trailer</b>
<b>2013 Peterbilt (214)</b>	<b>1NPTX4EXXDD64479</b>	<b>- high pressure unit/vac truck - DOT code tank, 10,000 psi Gardner Denver high pressure pump, 4" roper, Fruitland vac pump, comes with high pressure hoses and fittings (high pressure and regular fittings)</b>
<b>2001 Polar (Pup) (50A)</b>	<b>1PMA3282611024551</b>	<b>- 120 BBLS DOT code trailer</b>
<b>1979 Butler (211A)</b>	<b>1921B10</b>	<b>- 150 BBLS trailer 4" roper, fittings and hoses</b>
<b>1985 Fruehauf (212A) and fittings</b>	<b>1H4T04228FLO01308</b>	<b>- 160 BBLS insulated trailer comes with hoses</b>
<b>1991 STE (55A) used with 4" roper</b>	<b>1S9T74225M0017114</b>	<b>- 160 BBLS stainless steel trailer, vac trailer or can be used with 4" roper</b>
<b>1991 STE (114A) can be used with 4" roper</b>	<b>1S9T74221M0017109</b>	<b>- 160 BBLS stainless steel trailer, vac trailer or can be used with 4" roper</b>
<b>1999 Mack (210) hoses</b>	<b>1M1AA13Y6XW104332</b>	<b>- vac truck 4" roper, vac pump, all fittings and hoses</b>
<b>1998 Mack (208)</b>	<b>1M2AA18CXWW086344</b>	<b>- high pressure unit on vac truck Triplex pump, 4" roper, HW75 vac pump, high pressure hoses and fittings and equipped with a pintle hook</b>

Tires consisting of (30) Recaps – 11R 22.5's

3 – chemical face shields  
1", 2", 3", 4" hose gaskets  
1 dozen - 1" camlock ears  
2 dozen – 3" camlock ears  
2 rolls of packing for ropers  
Box of roper bolts, packing glands, packing gland bolt retainers  
Couplers and inserts for truck #210 masport  
5 – love joy inserts (208 & 50)  
2 – masport vac oil reservoirs  
8 – rear wheel seals (50, 208, 214)  
8 – 4515 brake shoes & hardware (208, 210, 213)  
12 – 4709 brake shoes and hardware  
8 – 1443 brake shoes and hardware  
2 – oil filters (208 and 210)  
6 – fuel filters (208 and 210)  
2 – fuel filters (213)  
2 – fuel filters (214)  
2 – 2A1 headlights (50 and 213)  
2 – 1A1 headlights (50 and 213)  
50 – pressure pump parts (springs, seals, etc)  
208 – pressure pump parts (springs, valves, cages)  
214 – pump parts (seals, oil seals, etc. NuFlow in line flow meter)  
Miscellaneous pressure gauges – 100 psi, 300 psi, 600 psi  
1 – New Hannay static line reel

208 Parts – rear S-cams, bushings, king pins, seals, miscellaneous sensors and switches, E-7 block heater, air valve (brake system), oil cooler unit (new), 2 headlight bulbs (208 and 210), steering box kit, R.H. door latch, front spring hangers

**213 Parts – new starter motor, hood parts**

**Miscellaneous new 2" and 3" hose caps and plugs**

**1 – new hydraulic drive motor**

**2 – rear air springs (213)**

**2", 3", 4" hose bands and banding tool**

**20' 3" vac hose**

**50' and 20' 2" vac hose**

**50' 1" wash hose**

**Miscellaneous – gate and butterfly valves, valve mounting hardware and gaskets, valve rebuild kits**

**Miscellaneous fittings – camlock to iron pipe, nipples, reducers/adapters, caps/couplers**

**3" camlock hose ends (new and used)**

**2" camlock hose ends (new)**

**1" camlock hose ends (new)**

**Swedges, bushings, valves**

**Pressure hose unions**

**30' 2" pressure hose with unions**

**Tank mount springs**

**Hatch wing nuts**

**5 climbing harnesses**

**5 4-way monitors**

**2 H2S monitors**